

10/511676

DT05 Rec'd PCT/PTO 15 OCT 2004

Atty. Docket No. 30238-420

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Miko MIHELIC

Serial No.: Not Assigned

Filed: October 15, 2004

For: FOLDING BICYCLE

Group Art Unit: Not Assigned

Examiner: Not Assigned

San Diego, California  
October 15, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

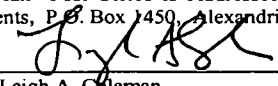
Dear Sir or Madam:

In accordance with 37 C.F.R. § 1.56, Applicants make the below-listed documents of record in the above-identified application. In accordance with 37 C.F.R. § 1.97, this statement is not to be construed as a representation that a search has been made, and is not a representation that the information cited is effective as prior art to the application or is material to patentability.

CERTIFICATE EXPRESS OF MAILING

I hereby certify that this correspondence and anything being referred to as enclosed herein is being deposited with the United States Postal Service via Express Mail "Post Office to Addressee," Label # EV 292301000 US, with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 15<sup>th</sup> day of October, 2004.

Signature:

  
Leigh A. Coleman

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.B./

### U.S. Patents

1. U.S. Patent No. 6,394,478 to Jose P. Balajadia, issued May 28, 2002;
2. U.S. Patent No. 6,347,803 B1 to Oscar L. Berges, issued February 19, 2002;
3. U.S. Patent No. 5,873,590 to Abe et al., issued February 23, 1999;
4. U.S. Patent No. 4,718,688 to Mark A. Sanders, issued January 12, 1988;
5. U.S. Patent No. 4,598,923 to Lajos Csizmadia, issued July 8, 1986;
6. U.S. Patent No. 4,460,191 to Ishibashi et al., issued July 17, 1984;
7. U.S. Patent No. 4,448,435 to David T. Hon, issued May 15, 1984;
8. U.S. Patent No. 4,438,942 to David T. Hon, issued March 27, 1984; and
9. U.S. Patent No. 4,067,589 to David T. Hon, issued January 10, 1978.

### Foreign Patents

1. International PCT Publication No. WO 2004/024546 A1 to Applicant: Le Group Go. Inc., published on March 25, 2004;
2. Germany Patent No. DE 102 40 194 A1 to Applicant: Meyer et al., published on March 20, 2003 (with English language abstract from European Patent Office website);
3. Germany Patent No. DE 203 00 031 A1 to Applicant: Fan Jeeng Neng, published on March 13, 2003 which relates to a folding bicycle having a rear wheel and pedals, and middle sprocket between the rear wheel and pedals, the rear wheels and mounting element pivotable around the middle sprocket;
4. French Patent No. FR 2,827,829 to Jacques et al., published January 1, 2003 (with English language abstract);
5. United Kingdom Patent No. GB 2,373,770 A to Applicant: ATB Sales Ltd., published on October 2, 2002;
6. United Kingdom Patent Publication No. GB 2,377,207 A to Applicant: Far Great Plastics Industrial Co. Ltd., published on July 4, 2001;
7. International PCT Publication No. WO 01/38165 A1 to Applicant: Pavel P. Mikssik, published on May 31, 2001;
8. Germany Patent No. DE 100 32 105 A1 to Applicant: Bayerische Motoren Werke AG, published on January 17, 2001 (with English language abstract from European Patent Office website);

9. EP Publication No. EP 1 069 036 B2 to Bayerische Motoren Werke Aktiengesellschaft, published on January 17, 2001 (with English language abstract);
10. Japanese Patent Publication No. JP-2000-062672 A to Applicant: Matsushita Electric Ind. Co. Ltd., published on February 29, 2000 (with English language abstract);
11. International PCT Publication No. WO 00/05128 A1 to Applicant: EP Manufacturing BHD, published on February 3, 2000;
12. International PCT Publication No. WO 99/38759 A1 to Applicant: Belli Alessandro, published on August 5, 1999;
13. EP Publication No. EP 0 965 517 A2, Applicant: Bayerische Motoren Werke Aktiengesellschaft, published on May 3, 1999 (with English language abstract);
14. Japanese Patent Publication No. JP-11-005582 A to Applicant: Kanto Auto Works Ltd., published on January 12, 1999 (with English language abstract);
15. Japanese Patent Publication No. JP-10-152085 A to Applicant: Bitsugu Trading: KK, published on June 9, 1998 (with English language abstract);
16. Japanese Patent Publication No. JP-10-119866 A to Applicant: Kikuo Kondou, published on May 12, 1998 (with English language abstract);
17. Japanese Patent Publication No. JP-09-207858 A to Applicant: Matsushita Electric Ind. Co. Ltd., published on August 12, 1997 (with English language abstract);
18. Japanese Patent Publication No. JP-08-198167 A to Applicant: Akira Sakamoto, published on August 6, 1996 (with English language abstract);
19. United Kingdom Patent Publication No. GB 2,296,224 A to Malcolm G. Parry, published on June 26, 1996;
20. Japanese Patent Publication No. JP-08-133160 A to Applicant: Kamenosuke Wada, published on May 28, 1996 (with English language abstract);
21. United Kingdom Patent Publication No. GB 2,289,874 A to Malcolm G. Parry, published on December 6, 1995;
22. Germany Patent No. DE 43 13 832 A to Applicant: Heiko Mueller et al., published on November 3, 1994 (with English language abstract from European Patent Office website);
23. EP Publication No. EP 0 565 760 A1 to Shu An Ts'ao, published on October 20, 1993;
24. French Patent No. FR 2,664,228 A1 to Raymond Sgandura, published on January 10, 1992 (with English language abstract);
25. Swiss Patent No. CH 677216 A5 to Alain Ferraroli, published on April 30, 1991 (with English language abstract);

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.B./

26. United Kingdom Patent Publication No. GB 2,144,687 A to Michael D. Strutt, published on March 13, 1985;
27. EP Publication No. EP 0 026 800 B1 to Applicant: Brompton Bicycle Limited, published on April 15, 1981;
28. Belgian Patent No. BE 628783 A to Mario Raimondi, issued on June 17, 1963 which relates to a bicycle envisioned to be able to reduce its obstruction quickly and vice versa, characterized by the fact that the structure of support of the aft wheel is studied to turn around a transverse axis, concurrent with the axis of the crank or adjacent to this one, so as to be able to place the aft wheel between an amount of the saddle and the direction tube, the assembly framework between the amounts being made up so as to receive the aft wheel maintained in its longitudinal plane and the fork of the nose gear wheel being able to turn advantageously around the axis of direction, to lead it to superimpose itself partially on the aft wheel laid out between the two amounts;
29. France Patent No. FR 1,011,990 A to Applicant: Pierre-Jean-Baptiste Astier, published on July 2, 1952; and,
30. United Kingdom Patent No. GB 526,773 A to Applicant: Andre Jules Marcelin, published on September 25, 1940.

#### Cited Documents

1. Brompton Bicycle Ltd., "The Choice of Bikes", [www.bromptonbicycle.co.uk](http://www.bromptonbicycle.co.uk), December 31, 2002 or earlier, (6 pages);
2. Green Gear Cycling Inc., "Bike Friday Performance that Packs", [www.greangear.com](http://www.greangear.com), December 31, 2002 or earlier, (1 page);
3. Strida Folding Bicycles, "Leading Edge Design", [www.strida.com/folding\\_bicycle.html](http://www.strida.com/folding_bicycle.html), December 31, 2002 or earlier, (1 page);
4. Dahon, "Folding Bikes", [www.dahon.com](http://www.dahon.com), December 31, 2002 or earlier, (5 pages);
5. Montague Corporation, "Full Size High Performance Bicycles that Fold", [www.montagueco.com/message.html](http://www.montagueco.com/message.html), December 31, 2002 or earlier, (1 page); and
6. Steven M. Scharf, "Folding Bicycle Information" <http://nordicgroup.us/fold/>, December 31, 2002 or earlier.

\* \* \*

Copies of the U.S. patents listed on the enclosed form PTO/SB/08 are not enclosed, in accordance with the waiver of the requirement of 37 C.F.R. § 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 that appears in the Official Gazette Notice (Week No. 31) dated August 5, 2003 and entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications Filed After June 30, 2003". Copies of the above-listed non-U.S. documents, which are listed on the accompanying Form PTO/SB/08, are enclosed.

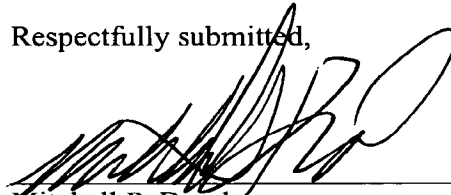
It is respectfully requested that these documents be (1) fully considered by the U.S. Patent and Trademark Office in the examination of the above-identified application; and (2) printed on any patent which may issue on this application. It is also respectfully requested that a copy of Form PTO/SB/08, upon being considered and initialed by the Examiner, be returned to the undersigned with the next communication in accordance with M.P.E.P. § 609.

This Information Disclosure Statement is filed concurrently with a Request for National Stage into the United States based upon a related international application, pursuant to 37 C.F.R. 1.97(b). Therefore, it is believed that no fee is required in connection with this submission. If a fee is required, please charge Deposit Account No. 50-2298, in the name of Luce, Forward, Hamilton & Scripps LLP.

Date

10/15/04

Respectfully submitted,



Mitchell P. Brook

Attorney for Applicant(s)

Reg. No. 32,967

c/o

LUCE, FORWARD, HAMILTON  
& SCRIPPS

11988 El Camino Real, Ste. 200

San Diego, California 92130

Telephone No.: (858) 720-6300

10/511676

DTOS d PCT/PTO 15 OCT 2004

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	Not Assigned
		Filing Date	October 15, 2004
		First Named Inventor	Miko MIHELIC
		Art Unit	Not Assigned
		Examiner Name	Not Assigned
Sheet 1 of 4	Attorney Docket Number	30238-420	

U.S. PATENT DOCUMENTS					
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US- 6,394,478	05-28-2002	Jose P. Balajadia	
		US- 6,347,803 B1	02-19-2002	Oscar L. Berges	
		US- 5,873,590	02-23-1999	Abe et al.	
		US- 4,718,688	01-12-1988	Mark A. Sanders	
		US- 4,598,923	07-08-1986	Lajos Csizmadia	
		US- 4,460,191	07-17-1984	Ishibashi et al.	
		US- 4,448,435	05-15-1984	David T. Hon	
		US- 4,438,942	03-27-1984	David T. Hon	
		US- 4,067,589	01-10-1978	David T. Hon	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		WO 2004/024546 A1	03-25-2004	Le Group Go. Inc.		
		DE 102 40 194 A1	03-20-2003	Meyer et al.		*
		DE 203 00 031 A1	03-13-2003	Fan Jeeng Neng		*
		FR 2,827,829 A1	01-01-2003	Jacques et al.		*
		GB 2,373,770 A	10-02-2002	ATB Sales Ltd.		
		GB 2,377,207 A	07-04-2001	Far Great Plastics Industrial Co. Ltd.		
		WO 01/38165 A1	05-31-2001	Pavel P. Mikssik		
		DE 100 32 105 A1	01-17-2001	Bayerische Motoren Werke AG		*
		EP 1 069 036 B2	01-17-2001	Bayerische Motoren Werke AG		*
		JP-2000-062672 A	02-29-2000	Matsushita Electric Ind. Co. Ltd.		*

Examiner Signature	/Anne Marie Boehler/	Date Considered	02/01/2008
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Substitute for form 1449A/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	Not Assigned
		Filing Date	October 14, 2004
		First Named Inventor	Miko MIHELIC
		Art Unit	Not Assigned
		Examiner Name	Not Assigned
Sheet 3 of 4	Attorney Docket Number	30238-420	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. 1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-			
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. 1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		GB 2,289,874 A	12-06-1995	Malcolm G. Parry		
		DE 43 13 832 A	11-03-1994	Mueller et al.		*
		EP 0 565 760 A1	10-20-1993	Shu An Ts'ao		
		FR 2,664,228 A1	01-10-1992	Raymond Sgandura		*
		CH 677216 A5	04-30-1991	Alain Ferraroli		*
		GB 2,144,687 A	03-13-1985	Michael D. Strutt		
		EP 0 026 800 B1	04-15-1981	Brompton Bicycle Limited		
		BE 628783 A	06-17-1963	Mario Raimond		*
		FR 1,011,990 A	07-02-1952	Pierre-Jean-Baptiste Astier		*
		GB 526,773 A	09-25-1940	Andre Jules Marcelin		

Examiner Signature	/Anne Marie Boehler/	Date Considered	02/01/2008
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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		Filing Date	October 15, 2004
		First Named Inventor	Miko MIHELIC
		Group Art Unit	Not Assigned
		Examiner Name	Not Assigned
		Attorney Docket Number	30238-420
Sheet	4	of	4

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials <sup>2</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Brompton Bicycle Ltd., "The Choice of Bikes", www.bromptonbicycle.co.uk, December 31, 2002 or earlier, (6 pages)	
		Green Gear Cycling Inc., "Bike Friday Performance that Packs", www.greangear.com, December 31, 2002 or earlier, (1 page)	
		Strida Folding Bicycles, "Leading Edge Design", www.strida.com/folding_bicycle.html, December 31, 2002 or earlier, (1 page)	
		Dahon, "Folding Bikes", www.dahon.com, December 31, 2002 or earlier, (5 pages)	
		Monatgue Corporation, "Full Size High Performance Bicycles that Fold", www.montagueco.com/message.html, December 31, 2002 or earlier, (1 page)	
		Steven M. Scharf, "Folding Bicycle Information" http://nordicgroup.us/fold/, December 31, 2002 or earlier	

Examiner Signature	/Anne Marie Boehler/	Date Considered	02/01/2008
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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